



Attorney Docket No.: 5563.210-US

PATENT

#16/8

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Royer *et al.*

Serial No.: 09/710,760

**Bf**

Group Art Unit: 1636

Filed: November 10, 2000

Examiner: Gansheroff, L.

For: Methods For Producing Heterologous Polypeptides In Trichothecene-Deficient Filamentous Fungal Mutant Cells

**AMENDMENT**

**RECEIVED**

MAY 14 2003

**OFFICE OF PETITIONS**

Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Office Action dated October 22, 2002, please amend the above-captioned application as follows:

**IN THE CLAIMS**

Please cancel claims 101 and 102 without prejudice or disclaimer. Claims 90-100 are pending in the present application. It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

**I. The Rejection of Claims 97-102 under 35 U.S.C. § 112, First Paragraph**

Claims 97-102 stand rejected under 35 U.S.C. § 112, first paragraph, "as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention." The Office Action states: